

REMARKS/ARGUMENTS

This application has been reviewed in light of the Office Action mailed on January 28, 2009. Claims 1-9 and 11-24 are pending in the application with Claims 1, 18, 23, and 24 being in independent form. Claim 10 has been cancelled herein. By the present amendment, Claims 1-9 and 11-24 have been amended. No new matter or issues are believed to be introduced by the amendments.

Claims 1, 9, 14, 18, 23, and 24 were rejected under 35 U.S.C. §102(b) as being anticipated by Van Beek (U.S. Application No. 2002/0083465).

Claim 1, as amended herein, recites, *inter alia*, as follows:

“...providing a plurality of **random** access slots that are selectively configured for permitting **a temporary or permanent allocation of a portion of the plurality of random access slots based on the level of interest of the users** of the secondary stations ...” (emphasis added)

Van Beek fails to disclose or suggest “...providing a plurality of random access slots that are selectively configured for permitting a temporary or permanent allocation of a portion of the plurality of random access slots based on the level of interest of the users of the secondary stations,” as recited in amended independent Claim 1.

Van Beek discloses a CATV system comprising a primary station and a secondary station, the CATV system having a frequency band with a plurality of substantially equally spaced and sized frequency channels, the CATV system being arranged for transmitting data signals in at least part of the frequency channels from the primary station to the secondary station, the secondary station comprising acquire means for acquiring a frequency channel in which at least part of the data signals are transmitted, the acquire means being arranged for

scanning the frequency band in frequency steps from a starting frequency until a frequency channel carrying data signals is found (page 1, paragraph [0001]).

In contrast, in the present disclosure, the primary station provides for a plurality of **random** access slots that permit **temporary or permanent** storage of data in such access slots based on the level of interest of the users handling the secondary devices. Support for such features can be found at least at page 2, paragraph [0024] of the present disclosure. In other words, based on user demand, **the primary station selectively allocates in a random manner a plurality of access slots on a temporary or a permanent basis.**

Van Beek, on the other hand, is **not** concerned with assigning random access slots and is **not** concerned with deciding whether to assign random slots on a temporary or a permanent basis based on anticipated user demand. Van Beek makes no mention of either scenario. In addition, for the sake of completeness, neither 103 reference (i.e., Salloum Salazar and Cooper) discussed below teaches and/or suggests such features added to amended independent Claim 1. Only Cooper mentions the term “random.” However, Cooper suggests, as pointed out by the Examiner at the bottom of page 17 of the present Office Action, with regards to Claim 10, that “wireless communication systems are susceptible to noise sources that disrupt the channel on a random and unpredictable basis.” This statement of Cooper merely notes that noise can be created at random on a channel. The Claims of the present disclosure specifically state that random access slots are provided and do not allude to random noise. Random noise is of no concern here and there is no correlation between random noise and random access slots. The two terms are independent of each other. Thus, Van Beek, Salloum Salazar, and Cooper, take alone or in combination, do not disclose **random access slots selectively allocated on a temporary or permanent basis,** as do the amended independent Claims.

Independent Claims 18, 23, and 24 include the same or similar limitations to those of Claim 1, and are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claim 1.

Accordingly, the withdrawal of the rejection under 35 U.S.C. §102(b) with respect to Claims 1, 18, 23, and 24 and allowance thereof is respectfully requested.

Dependent Claims 9 and 14, are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claim 1. Accordingly, the withdrawal of the rejection under 35 U.S.C. §102(b) with respect to dependent Claims 9 and 14, and allowance thereof are respectfully requested.

Claims 6-8, 11-13, and 20-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Van Beek in view of Salloum Salazar et al. (U.S. Application No. 2003/0072321).

Salloum Salazar does not address the deficiencies of Van Beek with respect to independent Claims 1 and 18. Also, there is no suggestion in the references, taken alone or in combination, that a combined system would allow the “primary station to acquire a frequency channel relatively fast” as stated by the Examiner. Nonetheless, dependent Claims 6-8, 11-13, and 20-22 are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1 and 18. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 6-8, 11-13, and 20-22, and allowance thereof are respectfully requested.

Claims 2-5, 10, 15-17, and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Salloum Salazar and further in view of Van Beek and further in view of Cooper (U.S. Application No. 2002/0069038). Claim 10 has been cancelled.

Dependent Claims 2-5, 15-17, and 19, are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1 and 18. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 2-5, 15-17, and 19, and allowance thereof are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all Claims presently pending in the application, namely, Claims 1-9 and 11-24, are believed to be in condition for allowance.

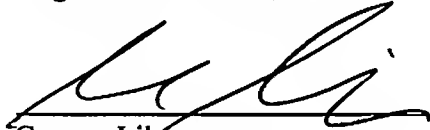
If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to contact the undersigned.

Respectfully submitted,

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